

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**PHERAH LLC,**

Plaintiff,

v.

**VOLUSION, LLC**

Defendant.

**CIVIL ACTION NO 6:17-cv-476**

**JURY TRIAL DEMANDED**

**JOINT MOTION TO DISMISS WITHOUT PREJUDICE**

The plaintiff, Pherah LLC, and defendant, Volusion, LLC, pursuant to Fed. R. Civ. P. 41(a)(2), hereby move for an order dismissing all claims in this action WITHOUT PREJUDICE. Each party to bear its own costs, expenses and attorneys' fees.

Respectfully Submitted,

Dated: December 15, 2017

/s/ *Papool S. Chaudhari*

By: \_\_\_\_\_  
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*/s/ Brian C. Nash*

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**ATTORNEY FOR DEFENDANT VOLUSION, LLC**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(b). As such, the foregoing was served on all counsel of record who have consented to electronic service. Local Rule CV-5. Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5, all others not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing via US Mail via 15th day of December, 2017.

*/s/ Papool S. Chaudhari*

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Papool S. Chaudhari